

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

ANTHONY BLAKE WASHINGTON, JR.,)	
)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-20-43-D
)	
DR. FNU MILES, et al.,)	
)	
Defendants.)	

ORDER

Plaintiff, a state prisoner appearing *pro se* and *in forma pauperis* brought this action under 42 U.S.C. § 1983, alleging violations of his constitutional rights while incarcerated at the Oklahoma State Penitentiary in McAlester, Oklahoma, and the Joseph Harp Correctional Center in Lexington, Oklahoma. Pursuant to 28 U.S.C. § 636(b)(1)(B), the matter was referred to United States Magistrate Judge Gary M. Purcell for initial proceedings.

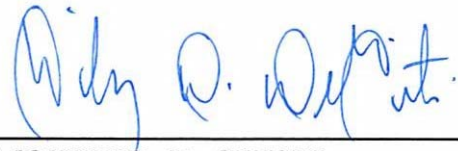
On January 30, 2020, Judge Purcell filed a Report and Recommendation (hereinafter Report) [Doc. No. 9], in which he vacated his Order Granting Leave to Proceed *In Forma Pauperis*, and recommended that the Court deny Plaintiff's motion to proceed *in forma pauperis* and dismiss the action without prejudice unless Plaintiff paid the full filing fee by February 19, 2020.

Judge Purcell advised Plaintiff of his right to object and directed that any objection be filed on or before February 19, 2020. Judge Purcell further advised Plaintiff that any failure to object would result in a waiver of the right to appellate review. The deadline for

filing objections has passed. To date, Plaintiff has not filed objections and has not sought an extension of time in which to do so. Further, Plaintiff has not paid the full filing fee.

Accordingly, Judge Purcell's Report and Recommendation [Doc. No. 9] is ADOPTED as though fully set forth herein. Plaintiff's Motion for Leave to Proceed *In Forma Pauperis* [Doc. No. 2] is DENIED. This action is dismissed without prejudice to the filing of a new action. A judgment shall be issued forthwith.

IT IS SO ORDERED this 24th day of February 2020.



TIMOTHY D. DeGIUSTI
Chief United States District Judge